

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT R. STRACHURA, JR.,

Plaintiff,

v.

CASE NO.: 12-13078
HON. LAWRENCE P. ZATKOFF

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter is before the Court on Plaintiff's Motion for Summary Judgment and Defendant's Motion for Summary Judgment with respect to the Defendant's decision to deny Plaintiff's application for Social Security disability benefits. The Court is also in receipt of Magistrate Judge Michael Hluchaniuk's Report and Recommendation, wherein the Magistrate Judge recommends that Plaintiff's Motion for Summary Judgment be granted in part and denied in part and Defendant's Motion for Summary Judgment be granted in part and denied in part. Defendant has filed objections to the Report and Recommendation, and Plaintiff has filed a response to Defendant's objections.

After a thorough review of the court file, the Report and Recommendation, the objections to the Report and Recommendation filed by Defendant and Plaintiff's response to Defendant's objections, this Court will adopt the Report and Recommendation and enter it as the findings and conclusions of this Court. Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment be GRANTED IN PART and DENIED IN PART

and Defendant's Motion for Summary Judgment be GRANTED IN PART and DENIED IN PART. IT IS FURTHER ORDERED that this matter be REMANDED to Defendant for the purpose of further consideration of whether Plaintiff meets the criteria of Listing 11.04, as set forth in the Report and Recommendation.

IT IS SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: October 17, 2013